



09/721 213

Cajc

Docket No. 40-R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reexamination Certificate of )  
Patent No. 6867253 C1 (8314<sup>th</sup>) )  
Control No.: 90/011,018 ) Central Reexamination Unit  
Filed: November 21, 2000 ) Art Unit 3991  
For: Tear Resistant Crystalline, Midblock, ) Examiner: Alan Diamond  
Copolymer Gels and Articles )

REQUEST EXPEDITED ISSUANCE OF CORRECTION CERTIFICATE  
PURSUANT TO 37 CFR 1.322

Attn: Certificate of Corrections Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate  
JUN 15 2011  
of Correction

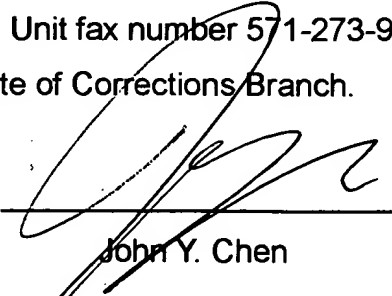
Sir:

The attached four Certificate of Correction pages identified by numbers: 1 of 4, 2 of 4, 3 of 4, and 4 of 4 are shown with enclosed quotation marks ("....") to be deleted and enclosed by double hyphens (— —) to be corrected.

CERTIFICATION UNDER 37 CFR 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being sent to USPTO Central Reexamination Unit fax number 571-273-9900 and the original by USPS Priority Mail to the Certificate of Corrections Branch.

June 9, 2011

  
\_\_\_\_\_  
John Y. Chen

## **R E M A R K S**

A Correction Certificate is requested as shown on the attached PTO/SB/44 forms.

Claims 1 and 2 of the 8314<sup>th</sup> Reexamination Certificate requires correction due to error attributable to Office (MPEP 1480.01) and expedited issuance of the Correction is deemed appropriate for the following stated reasons supported by the documents attached.

Reexamination claims 1 and 2 were amended twice on March 8, 2011, once at 8:29:56 received Eastern Stand Time shown at the bottom USPTO fax copy from PAIR (attached), and a second time at 9:23:14 received Eastern Standard Time shown at bottom USPTO fax copy from PAIR, also attached.

However, the 8:29:56 posting on PAIR is mistakenly reversed with the 9:23:14 PAIR posting of the claims 1 and 2 amendment paper with the first posted more recent (in time) after the 9:23:14 paper.

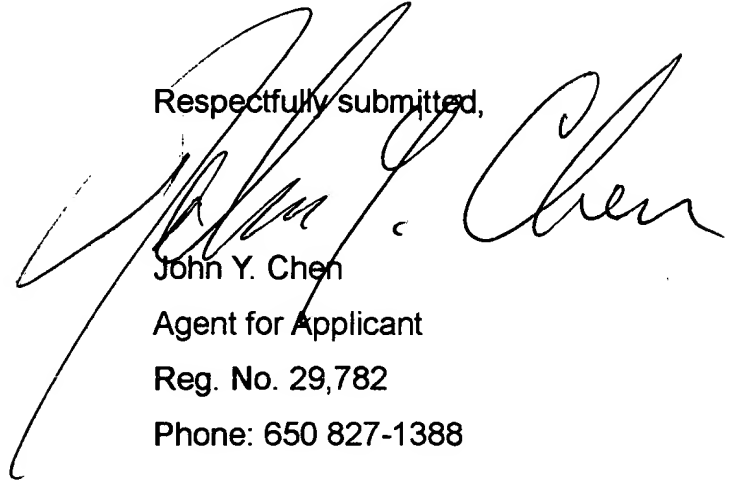
Apparently, the publication Branch relied on the last PAIR posted amendments of the claims for printing of the Reexamination Certificate instead of the most recent amendment of 9:23:14.

The interview statement on page 6 of the most recent 9:23:14 amendment supports these facts.

Since the Reexamination has terminated and the 8314<sup>th</sup> Reexam Certificate Issued, a certificate for service to the Requestor of this paper is deemed inappropriate and not required under 37 CFR 1.530(b).

Should the Correction Branch have any questions regarding this response, I can be reached at (650) 827-1388.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'John Y. Chen', is written over the typed name and title.

John Y. Chen

Agent for Applicant

Reg. No. 29,782

Phone: 650 827-1388

Applied Elastomerics, Inc.

163 West Harris Avenue

South San Francisco, CA 94080

June 9, 2011

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 4

PATENT NO. : Reexamination Certificate for Patent US 6,867,253 C1 (8314th)

APPLICATION NO.: USSN: 721, 213, Nov. 21, 2000 and Reexamination Control No. 90/011,018

ISSUE DATE : Patent Issue Mar. 15, 2005

INVENTOR(S) : John Y. Chen

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

“1. A composite comprising: a gel denoted by G, being [in adherent contact, adhesive contact, clinging contact, fastening contact, sticking contact, or] *formed by heat into a composite* in physical contact with a selected material M forming the combination  $G_n M_n$ ,  $G_n M_n G_n$ ,  $M_n G_n M_n$ ,  $M_n G_n G_n M_n$ ,  $G_n M_n M_n G_n$ ,  $G_n M_n G_n M_n G_n$ ,  $M_n M_n G_n M_n M_n G_n$ ,  $M_n M_n M_n G_n M_n M_n$  or a permutation of one or more of said  $G_n$  with  $M_n$ ; wherein when n is a subscript of M, n is the same or different selected from the group consisting of paper, foam, plastic, fabric, metal, metal foil, [metallic flakes,] concrete, wood, glass, [glass fibers,] ceramics, synthetic resin, synthetic fibers or refractory materials; and wherein when n is a subscript of G, n denotes the same or a different gel rigidity; said gel comprising: (i) **100** parts by weight of one or more block copolymers selected from poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-styrene), poly(styrene-ethylene-ethylene-butylene-<sub>25</sub>-styrene), poly(styrene-ethylene-propylene-ethylene-styrene), poly(styrene-ethylene-ethylene-butylene)<sub>n</sub>; [poly(styrene-ethylene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-ethylene-butylene)<sub>25</sub>], [poly(styrene-ethylene-propylene-ethylene)<sub>n</sub>] or mixtures thereof, wherein subscript n is two or more; (ii) about **300** to about **1,600** parts by weight of one or more plasticizing oils with a selected amount of at least one said plasticizing oil(s) having a viscosity [of about] *greater than 4 cSt at 40° C. [and greater]*; said gel characterized by a gel gram Bloom of about 2 gram to about **1,800** gram Bloom; and in combination with or without (iii) a selected amount of one or more polymers or copolymers comprising poly(styrene-butadiene-styrene), poly(styrene-butadiene)<sub>n</sub>, poly(styrene-isoprene)<sub>n</sub>, poly(ethylene-styrene), poly(styrene-ethylene-propylene), poly(styrene-ethylene-butylene), poly(styrene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-butylene)<sub>n</sub>, polystyrene, polybutylene, poly(ethylene-propylene), poly(ethylene-butylene), polypropylene, or polyethylene, wherein said selected copolymer is a linear, radial, star-shaped, branched or multiarm copolymer, wherein n is greater than one; said gel having greater tear resistance than gels having corresponding rigidity made from a poly(styrene-ethylene-butylene-styrene) or poly(styrene-ethylene-propylene-styrene) block copolymers.”

MAILING ADDRESS OF SENDER (Please do not use customer number below):

APPLIED ELASTOMERICS, INCORPORATED

PATENT DEPARTMENT, ATTN: JOHN Y. CHEN

163 WEST HARRIS AVENUE, SOUTH SAN FRANCISCO, CA 94080

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 2 of 4

PATENT NO. : Reexamination Certificate for Patent US 6,867,253 C1 (8314th)

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ISSUE DATE: Patent Issue Mar. 15, 2005

INVENTOR(S): John Y. Chen

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

"2. A composite comprising: a gel denoted by G, being *formed by heat into a composite* [in adherent contact, adhesive contact, clinging contact, fastening contact, sticking contact, or] in physical contact with a selected material M or in combination with one or more of the same gel or a different gel forming a composite of the combination  $G_n G_n, G_n G_n G_n, G_n M_n, G_n M_n G_n, M_n G_n M_n, M_n G_n G_n, M_n M_n M_n G_n M_n, M_n G_n G_n M_n, G_n M_n G_n G_n, G_n G_n M_n M_n, G_n M_n M_n G_n, G_n G_n M_n G_n M_n G_n, G_n M_n G_n M_n M_n, M_n G_n M_n G_n M_n G_n, G_n G_n M_n M_n G_n, G_n G_n M_n G_n M_n, G_n G_n M_n G_n M_n G_n, G_n M_n G_n M_n G_n, M_n M_n M_n G_n, M_n M_n M_n G_n M_n M_n$  or a permutation of one or more of said  $G_n$  with  $M_n$ ; wherein when n is a subscript of M, n is the same or different selected from the group consisting of paper, foam, plastic, fabric, metal, metal foil, concrete, wood, glass, glass fibers, ceramics, synthetic resin, synthetic fibers or refractory materials; and wherein when n is a subscript of G, n denotes the same or a different gel rigidity; said gel comprising: (i) **100** parts by weight of one or more block copolymers selected from poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-styrene), poly(styrene-ethylene-ethylene-butylene<sub>25</sub>-styrene), poly(styrene-ethylene-propylene-ethylene-styrene), poly(styrene-ethylene-ethylene-butylene)<sub>n</sub>, [poly(styrene-ethylene-ethylene-propylene)<sub>n</sub>], poly(styrene-ethylene-ethylene-butylene<sub>25</sub>)<sub>n</sub>, [poly(styrene-ethylene-propylene-ethylene)<sub>n</sub>] or mixtures thereof, wherein subscript n is two or more; (ii) about **300** to about **1,600** parts by weight of one or more plasticizing oils with a selected amount of at least one said plasticizing oil(s) having an average molecular weight of about **200** and greater; said gel characterized by a gel gram Bloom of about **2** gram to about **1,800** gram Bloom; and in combination with or without (iii) a selected amount of one or more polymers or copolymers comprising poly(styrene-butadiene-styrene), poly(styrene-butadiene)<sub>n</sub>, poly(styrene-isoprene)<sub>n</sub>, poly(styrene-ethylene-propylene), poly(ethylene-styrene), poly(styrene-ethylene-butylene), poly(styrene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-butylene)<sub>n</sub>, polystyrene, polybutylene, poly(ethylene-propylene), poly(ethylene-butylene), polypropylene, or polyethylene, wherein said selected copolymer is a linear, radial, star-shaped, branched or multiarm copolymer, wherein n is greater than one; said gel having greater fatigue resistance than gels having corresponding rigidity made from a poly(styrene-ethylene-butylene-styrene) or poly(styrene-ethylene-propylene-styrene) block copolymers."

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## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 4 of 4

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APPLICATION NO.: USSN: 721, 213, Nov. 21, 2000 and Reexamination Control No. 90/011,018

ISSUE DATE: Patent Issue Mar. 15, 2005

INVENTOR(S): John Y. Chen

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

-- -- **2.** A composite comprising: a gel denoted by G, being *formed by heat into a composite* [in adherent contact, adhesive contact, clinging contact, fastening contact, sticking contact, or] in physical contact *and physically interlocked* with a selected material M or in combination with one or more of the same gel or a different gel forming a composite of the combination  $G_n G_n$ ,  $G_n G_n G_n$ ,  $G_n M_n$ ,  $G_n M_n G_n$ ,  $M_n G_n M_n$ ,  $M_n G_n$ ,  $G_n M_n M_n G_n M_n$ ,  $M_n G_n G_n M_n$ ,  $G_n M_n G_n G_n$ ,  $G_n G_n M_n M_n$ ,  $G_n M_n M_n G_n$ ,  $G_n G_n M_n G_n M_n G_n G_n$ ,  $G_n M_n G_n M_n M_n$ ,  $M_n G_n M_n G_n M_n G_n$ ,  $G_n G_n M_n M_n G_n$ ,  $G_n G_n M_n G_n M_n G_n$ ,  $G_n M_n G_n M_n G_n$ ,  $M_n M_n G_n$ ,  $M_n M_n M_n G_n M_n M_n$  or a permutation of one or more of said  $G_n$  with  $M_n$ ; wherein when n is a subscript of M, n is the same or different selected from the group consisting of paper, foam, plastic, fabric, metal, metal foil, concrete, wood, glass, glass fibers, ceramics, synthetic resin, synthetic fibers or refractory materials; and wherein when n is a subscript of G, n denotes the same or a different gel rigidity; said gel comprising: (i) **100** parts by weight of one or more block copolymers selected from poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-styrene), poly(styrene-ethylene-ethylene-butylene<sub>25</sub>-styrene), poly(styrene-ethylene-propylene-ethylene-styrene), poly(styrene-ethylene-ethylene-butylene)<sub>n</sub>, [poly(styrene-ethylene-ethylene-propylene)<sub>n</sub>] poly(styrene-ethylene-ethylene-butylene<sub>25</sub>)<sub>n</sub>, [poly(styrene-ethylene-propylene-ethylene)<sub>n</sub>] or mixtures thereof, wherein subscript n is two or more; (ii) about **300** to about **1,600** parts by weight of one or more plasticizing oils with a selected amount of at least one said plasticizing oil(s) having an average molecular weight of about **200** and greater; said gel characterized by a gel gram Bloom of about **2** gram to about **1,800** gram Bloom; and in combination with or without (iii) a selected amount of one or more polymers or copolymers comprising poly(styrene-butadiene-styrene), poly(styrene-butadiene)<sub>n</sub>, poly(styrene-isoprene)<sub>n</sub>, poly(styrene-ethylene-propylene), poly(ethylene-styrene), poly(styrene-ethylene-butylene), poly(styrene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-butylene)<sub>n</sub>, polystyrene, polybutylene, poly(ethylene-propylene), poly(ethylene-butylene), polypropylene, or polyethylene, wherein said selected copolymer is a linear, radial, star-shaped, branched or multiarm copolymer, wherein n is greater than one; said gel having greater fatigue resistance than gels having corresponding rigidity made from a poly(styrene-ethylene-butylene-styrene) or poly(styrene-ethylene-propylene-styrene) block copolymers. -- --

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Docket No. 40-R

Patent

**FAX RECEIVED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**MAR 08 2011**

In re Patent No. 6867253 )

of Patentee: John Y. Chen )

**CENTRAL REEXAMINATION UNIT**

Control No.: 90/011,018 )

) Central Reexamination Unit

Filed: November 21, 2000 )

) Art Unit 3991

For: Tear Resistant Crystalline, Midblock, )

) Examiner: Alan Diamond

Copolymer Gels and Articles )

AMENDMENTS TO THE SPECIFICATION AND CLAIMS  
PATENT OWNER INTERVIEW SUMMARY  
CORRECTION OF SPELLING AND TRANSCRIPTION ERRORS

Attn: Mail Stop "Ex Parte Reexam"  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper amends to the claims and specification as proposed by Examiner in the interview on March 7, 2011. An Interview Statement is included with this paper.

---

CERTIFICATION UNDER 37 CFR 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being sent to USPTO Central Reexamination Unit fax number 571-273-9800.

March 8, 2011

  
\_\_\_\_\_  
John Y. Chen



**AMENDMENTS TO THE ORIGINAL CLAIMS BY PATENT OWNER ON FEBRUARY 4,  
2011 AND AMENDMENTS PROPOSED BY THE EXAMINER ON MARCH 7, 2011**

All the amendments to the original claims as indicated commencing on a separate physical sheet are as follows:

Claim 1 (Once amended): A composite comprising: a gel denoted by G, being formed by heat into a composite [in adherent contact, adhesive contact, clinging contact, fastening contact, sticking contact, or] in physical contact with a selected material M forming the combination  $G_n M_n$ ,  $G_n M_n G_n$ ,  $M_n G_n M_n$ ,  $M_n G_n G_n M_n$ ,  $G_n M_n M_n G_n$ ,  $G_n M_n G_n M_n G_n$ ,  $M_n M_n M_n G_n$ ,  $M_n M_n M_n G_n M_n M_n M_n$  or a permutation of one or more of said  $G_n$  with  $M_n$ ; wherein when n is a subscript of M, n is the same or different selected from the group consisting of paper, foam, plastic, fabric, metal, metal foil, [metallic flakes,] concrete, wood, glass, [glass fibers,] ceramics, synthetic resin, synthetic fibers or refractory materials; and wherein when n is a subscript of G, n denotes the same or a different gel rigidity; said gel comprising: (i) 100 parts by weight of one or more block copolymers selected from poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-styrene), poly(styrene-ethylene-ethylene-butylene<sub>25</sub>-styrene), poly(styrene-ethylene-propylene-ethylene-styrene), poly(styrene-ethylene-ethylene-butylene)<sub>n</sub>, [poly(styrene-ethylene-ethylene-propylene)<sub>n</sub>,] poly(styrene-ethylene-ethylene-butylene<sub>25</sub>)<sub>n</sub>, [poly(styrene-ethylene-propylene-ethylene)<sub>n</sub>,] or mixtures thereof, wherein subscript n is two or more; (ii) about 300 to about 1,600 parts by weight of one or more plasticizing oils with a selected amount of at least one said plasticizing oil(s) having a viscosity greater than [of about] 4 cSt at 40° C. [and greater]; said gel characterized by a gel gram Bloom of about 2 gram to about 1,800 gram Bloom; and in combination with or without (iii) a selected amount of one or more polymers or copolymers comprising poly(styrene-butadiene-styrene), poly(styrene-butadiene)<sub>n</sub>, poly(styrene-isoprene)<sub>n</sub>, poly(ethylene-styrene), poly(styrene-ethylene-propylene), poly(styrene-ethylene-butylene), poly(styrene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-butylene)<sub>n</sub>, polystyrene, polybutylene, poly(ethylene-propylene), poly(ethylene-butylene), polypropylene, or polyethylene, wherein said selected copolymer is a linear, radial, star-shaped, branched or multiarm copolymer, wherein n is greater than one; said gel having greater tear resistance than gels having corresponding rigidity made from a poly(styrene-ethylene-butylene-styrene) or poly(styrene-ethylene-propylene-styrene) block copolymers.

Claim 2 (Once amended): A composite comprising: a gel denoted by G, being formed by heat into a composite [in adherent contact, adhesive contact, clinging contact, fastening contact, sticking contact, or] in physical contact with a selected material M or in combination with one or more of the same gel or a different gel forming a composite of the combination  $G_n G_n$ ,  $G_n G_n G_n$ ,  $G_n M_n$ ,  $G_n M_n G_n$ ,  $M_n G_n M_n$ ,  $M_n G_n G_n$ ,  $M_n M_n M_n G_n M_n$ ,  $M_n G_n G_n M_n$ ,  $G_n M_n G_n G_n$ ,  $G_n G_n M_n M_n$ ,  $G_n M_n M_n G_n$ ,  $G_n G_n M_n G_n M_n$ ,  $G_n G_n$ ,  $G_n M_n G_n M_n M_n$ ,  $M_n G_n M_n G_n M_n G_n$ ,  $G_n G_n M_n M_n G_n$ ,  $G_n G_n M_n G_n M_n$ ,  $G_n G_n M_n$ ,  $G_n M_n G_n$ ,  $G_n M_n G_n M_n G_n$ ,  $M_n M_n M_n G_n$ ,  $M_n M_n M_n G_n M_n M_n$  or a permutation of one or more of said  $G_n$  with  $M_n$ ; wherein when n is a subscript of M, n is the same or different selected from the group consisting of paper, foam, plastic, fabric, metal, metal foil, concrete, wood, glass, glass fibers, ceramics, synthetic resin, synthetic fibers or refractory materials; and wherein when n is a subscript of G, n denotes the same or a different gel rigidity; said gel comprising: (i) 100 parts by weight of one or more block copolymers selected from poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-styrene), poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-ethylene-styrene), poly(styrene-ethylene-ethylene-butylene)<sub>n</sub>, [poly(styrene-ethylene-ethylene-propylene)<sub>n</sub>], poly(styrene-ethylene-ethylene-butylene)<sub>25</sub>, [poly(styrene-ethylene-propylene-ethylene)<sub>n</sub>], or mixtures thereof, wherein subscript n is two or more; (ii) about 300 to about 1,600 parts by weight of one or more plasticizing oils with a selected amount of at least one said plasticizing oil(s) having an average molecular weight of about 200 and greater; said gel characterized by a gel gram Bloom of about 2 gram to about 1,800 gram Bloom; and in combination with or without (iii) a selected amount of one or more polymers or copolymers comprising poly(styrene-butadiene-styrene), poly(styrene-butadiene)<sub>n</sub>, poly(styrene-isoprene)<sub>n</sub>, poly(styrene-ethylene-propylene), poly(ethylene-styrene), poly(styrene-ethylene-butylene), poly(styrene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-butylene)<sub>n</sub>, polystyrene, polybutylene, poly(ethylene-propylene), poly(ethylene-butylene), polypropylene, or polyethylene, wherein said selected copolymer is a linear, radial, star-shaped, branched or multiarm copolymer, wherein n is greater than one; said gel having greater fatigue resistance than gels having

corresponding rigidity made from a poly(styrene-ethylene-butylene-styrene) or poly(styrene-ethylene-propylene-styrene) block copolymers.

Claim 3 (Original): A composite according to claim 1, wherein said composite being formed into a gel hand exercising grip, a gel shape floss suitable for use as a dental floss, a gel crutch cushion, a gel cervical pillow, a gel bed wedge pillow, a gel leg rest, a gel neck cushion, a gel mattress, a gel bed pad, a gel elbow pad, a gel dermal pad, a gel wheelchair cushion, a gel helmet liner, a gel cold and hot pack, a gel exercise weight belt, a gel traction pad or belt, a gel cushion for splints, a gel sling, a gel brace for the hand, wrist, finger, forearm, knee, leg, clavicle, shoulder, foot, ankle, neck, back, rib, a gel sole for orthopedic shoe, a gel shaped toy article, a gel optical cladding for cushioning optical fibers from bending stresses, a gel swab tip, a gel fishing bait, a gel seal against pressure, a gel thread, a gel strip, a gel yarn, a gel tape, a weaved gel cloth, a gel fabrics, a gel balloon for valvuloplasty of the mitral valve, a gel traintestinal balloon dilator, a gel esophageal balloon dilator, a gel dilating balloon catheter use in coronary angiogram, a gel condom, a gel toy balloon, a gel surgical and examination glove, a self sealing enclosures for splicing electrical and telephone cables and wires, a gel film, or a gel liner.

Claim 4 (Original): A composite of claim 2 shaped in the form of a gel liner for lower limb or above the knee amputee prosthesis formed by injection molding, extruding, spinning, casting, or dipping of said gel.

Claim 5 (Original): A composite of claim 1 shaped in the form of a gel liner for lower limb or above the knee amputee prosthesis formed by injection molding, extruding, spinning, casting, or dipping of said gel.

Claim 7 (Twice amended): A composite comprising a gel  $G_n$  which is formed into a composite by heat and physically interlocked with a selected material  $M_n$ , said gel formed from (i) 100 parts by weight of one or more block copolymers of the formula poly(styrene-ethylene-ethylene-propylene-styrene), having greater tear resistance than

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**CERTIFICATE FOR SERVICE**

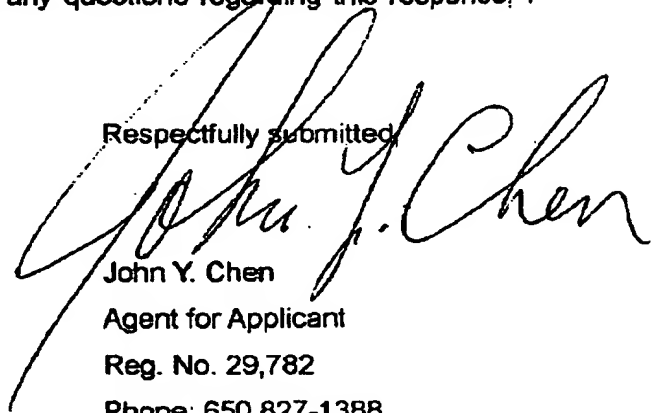
I certify that on or about March 8, 2011 a true copy of this RESPONSE TO REEXAMINATION COMMUNICATION UNDER 37 CFR 1.530(b)) was served via First Class US Mail on:

Mark Engle at Standley Law Group LLP  
6300 Riverside Drive  
Dublin, OH 43017

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Should Reexamination Examiner have any questions regarding this response, I can be reached at (650) 827-1388.

Respectfully submitted,



John Y. Chen

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March 8, 2011

Docket No. 40-R

Patent **FAX RECEIVED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**MAR 08 2011**

In re Patent No. 6867253 )

of Patentee: John Y. Chen )

Control No.: 90/011,018 )

Central Reexamination Unit

Filed: November 21, 2000 )

Art Unit 3991

For: Tear Resistant Crystalline, Midblock, )

Examiner: Alan Diamond

Copolymer Gels and Articles )**CENTRAL REEXAMINATION UNIT****AMENDMENTS TO THE CLAIMS**

Attn: Mail Stop "Ex Parte Reexam"

Central Reexamination Unit

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This paper amends to the claims and specification as proposed by Examiner in the interview on March 7, 2011. An Interview Statement is included with this paper.

**CERTIFICATION UNDER 37 CFR 1.8(a)**

I hereby certify that, on the date shown below, this correspondence is being sent to USPTO Central Reexamination Unit fax number 571-273-9900.

March 8, 2011

  
John Y. Chen

**AMENDMENTS TO Original CLAIMS 1 and 2**

Amendments to original claims 1 and 2 are on separate physical sheet are as follows:

Claim 1 (Once amended): A composite comprising: a gel denoted by G, being formed by heat into a composite [in adherent contact, adhesive contact, clinging contact, fastening contact, sticking contact, or] in physical contact and physically interlocked with a selected material M forming the combination  $G_n M_n$ ,  $G_n M_n G_n$ ,  $M_n G_n M_n$ ,  $M_n G_n G_n M_n$ ,  $G_n M_n M_n G_n$ ,  $G_n M_n G_n M_n G_n$ ,  $M_n M_n M_n G_n$ ,  $M_n M_n M_n G_n M_n M_n$  or a permutation of one or more of said  $G_n$  with  $M_n$ ; wherein when n is a subscript of M, n is the same or different selected from the group consisting of paper, foam, plastic, fabric, metal, metal foil, [metallic flakes,] concrete, wood, glass, [glass fibers,] ceramics, synthetic resin, synthetic fibers or refractory materials; and wherein when n is a subscript of G, n denotes the same or a different gel rigidity; said gel comprising: (i) 100 parts by weight of one or more block copolymers selected from poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-styrene), poly(styrene-ethylene-ethylene-butylene<sub>25</sub>-styrene), poly(styrene-ethylene-propylene-ethylene-styrene), poly(styrene-ethylene-ethylene-butylene)<sub>n</sub>, [poly(styrene-ethylene-ethylene-propylene)<sub>n</sub>,] poly(styrene-ethylene-ethylene-butylene<sub>25</sub>)<sub>n</sub>, [poly(styrene-ethylene-propylene-ethylene)<sub>n</sub>,] or mixtures thereof, wherein subscript n is two or more; (ii) about 300 to about 1,600 parts by weight of one or more plasticizing oils with a selected amount of at least one said plasticizing oil(s) having a viscosity greater than [of about] 4 cSt at 40° C. [and greater]; said gel characterized by a gel gram Bloom of about 2 gram to about 1,800 gram Bloom; and in combination with or without (iii) a selected amount of one or more polymers or copolymers comprising poly(styrene-butadiene-styrene), poly(styrene-butadiene)<sub>n</sub>, poly(styrene-isoprene)<sub>n</sub>, poly(ethylene-styrene), poly(styrene-ethylene-propylene), poly(styrene-ethylene-butylene), poly(styrene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-butylene)<sub>n</sub>, polystyrene, polybutylene, poly(ethylene-propylene), poly(ethylene-butylene), polypropylene, or polyethylene, wherein said selected copolymer is a linear, radial, star-shaped, branched or multiarm copolymer, wherein n is greater than one; said gel having greater tear resistance than gels having corresponding rigidity made from a poly(styrene-ethylene-butylene-styrene) or poly(styrene-ethylene-propylene-styrene) block copolymers.



Claim 2 (Once amended): A composite comprising: a gel denoted by G, being formed by heat into a composite [in adherent contact, adhesive contact, clinging contact, fastening contact, sticking contact, or] in physical contact and physically interlocked with a selected material M or in combination with one or more of the same gel or a different gel forming a composite of the combination  $G_n G_n$ ,  $G_n G_n G_n$ ,  $G_n M_n$ ,  $G_n M_n G_n$ ,  $M_n G_n M_n$ ,  $M_n G_n G_n$ ,  $M_n M_n M_n G_n$ ,  $M_n G_n G_n M_n$ ,  $G_n M_n G_n G_n$ ,  $G_n G_n M_n M_n$ ,  $G_n M_n M_n G_n$ ,  $G_n G_n M_n G_n M_n G_n G_n$ ,  $G_n M_n G_n M_n M_n$ ,  $M_n G_n M_n G_n M_n G_n$ ,  $G_n G_n M_n M_n G_n$ ,  $G_n G_n M_n G_n M_n$ ,  $G_n G_n M_n G_n M_n$ ,  $G_n G_n M_n G_n M_n G_n$ ,  $G_n M_n G_n M_n G_n$ ,  $M_n M_n M_n G_n$ ,  $M_n M_n M_n G_n M_n$  or a permutation of one or more of said  $G_n$  with  $M_n$ ; wherein when n is a subscript of M, n is the same or different selected from the group consisting of paper, foam, plastic, fabric, metal, metal foil, concrete, wood, glass, glass fibers, ceramics, synthetic resin, synthetic fibers or refractory materials; and wherein when n is a subscript of G, n denotes the same or a different gel rigidity; said gel comprising: (i) 100 parts by weight of one or more block copolymers selected from poly(styrene-ethylene-ethylene-butylene-styrene), poly(styrene-ethylene-ethylene-propylene-styrene), poly(styrene-ethylene-ethylene-butylene<sub>25</sub>-styrene), poly(styrene-ethylene-propylene-ethylene-styrene), poly(styrene-ethylene-ethylene-butylene)<sub>n</sub>, [poly(styrene-ethylene-ethylene-propylene)<sub>n</sub>], poly(styrene-ethylene-ethylene-butylene<sub>25</sub>)<sub>n</sub>, [poly(styrene-ethylene-propylene-ethylene)<sub>n</sub>], or mixtures thereof, wherein subscript n is two or more; (ii) about 300 to about 1,600 parts by weight of one or more plasticizing oils with a selected amount of at least one said plasticizing oil(s) having an average molecular weight of about 200 and greater; said gel characterized by a gel gram Bloom of about 2 gram to about 1,800 gram Bloom; and in combination with or without (iii) a selected amount of one or more polymers or copolymers comprising poly(styrene-butadiene-styrene), poly(styrene-butadiene)<sub>n</sub>, poly(styrene-isoprene)<sub>n</sub>, poly(styrene-ethylene-propylene), poly(ethylene-styrene), poly(styrene-ethylene-butylene), poly(styrene-ethylene-propylene)<sub>n</sub>, poly(styrene-ethylene-butylene)<sub>n</sub>, polystyrene, polybutylene, poly(ethylene-propylene), poly(ethylene-butylene), polypropylene, or polyethylene, wherein said selected copolymer is a linear, radial, star-shaped, branched or multiarm copolymer, wherein n is greater than one; said gel having greater fatigue resistance than gels

having corresponding rigidity made from a poly(styrene-ethylene-butylene-styrene) or poly(styrene-ethylene-propylene-styrene) block copolymers.

### REMARKS

This paper incorporates Examiner's additional proposed amendments to claims 1 and 2, which is summarized in Patent Owners' Interview Statement presented on a separate sheet followings the Remarks.

Claims 6, 9, and 13 are not in the Reexamination. Claims 1-5, 7, 8, 10-12, 14-17, and new 18-20 are pending in this Reexamination.

**PATENT OWNER INTERVIEW STATEMENT**

On March 8, 2011 the Examiner in the 6,867,253 Reexamination initiated a telephone interview to propose an additional amendment to pending claims 1 and 2.

Amend claims: 1 and 2 by inserting the words: "and physically interlocked" following the words in the claims 1 and 2: "in physical contact".

Patent Owner accepted the additional changes proposed by Examiner to the claims 1 and 2.

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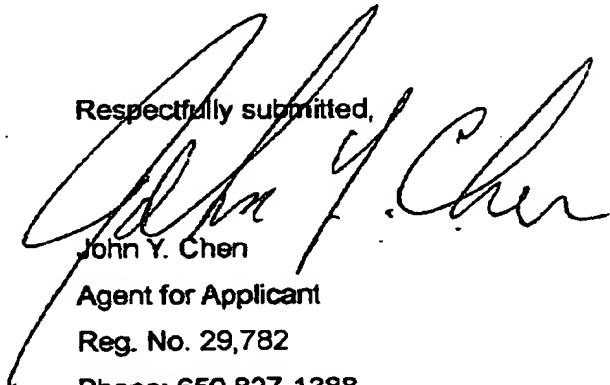
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Dublin, OH 43017

Should Reexamination Examiner have any questions regarding this response, I can be reached at (650) 827-1388.

Respectfully submitted,



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